

SENTENCE REVIEW DIVISION OF THE SUPREME COURT OF MONTANA
Montana Nineteenth Judicial District Court, County of Lincoln

STATE OF MONTANA,)	
)	
Plaintiff,)	CAUSE NO. DC-16-035
)	
-vs-)	
)	DECISION
CRAIG ALAN BARROWS,)	
)	
Defendant.)	

The Defendant was originally sentenced on December 5, 2016. In an Amended Judgment and Sentence dated December 10, 2018, the Defendant was sentenced as follows:

Count I: Assault with a Weapon: the Defendant was sentenced to the Montana State Prison for twenty (20) years;

Count II: Assault with a Weapon: the Defendant was sentenced to the Montana State Prison for twenty (20) years, to run concurrently with Count I;

Count III: Assault with a Weapon: the Defendant was sentenced to the Montana State Prison for twenty (20) years, to run concurrently with Counts I and II;

Count IV: Criminal Possession of Dangerous Drugs: the Defendant was sentenced to the Montana State Prison for five (5) years, to run consecutively to Counts I, II, and III. The Defendant was ordered to pay a fine of \$5,000. He received credit for 256 days served.

[Count V: Crim. Possession of Dangerous Drugs (Lorazepam) was ordered dismissed by MT Supreme Court.]

On May 2, 2019, the Defendant's Application for review of that sentence was heard by the Sentence Review Division of the Montana Supreme Court (hereafter "the Division"). The Defendant appeared by video conferencing from the Crossroads Correctional Center and was represented by Brent Getty of the Office of the State Public Defender. The State was not represented.

Before hearing the Application, the Defendant was advised that the Division has the authority not only to reduce the sentence or affirm it, but also increase it. The Defendant was further advised that there is no appeal from a decision of the Division. The Defendant acknowledged that he understood this and stated that he wished to proceed.

Rule 12, Rules of the Sentence Review Division of the Supreme Court of Montana, provides that, "The sentence imposed by the District Court is presumed correct. The sentence shall not be reduced or increased unless it is clearly inadequate or clearly excessive." (Section 46-18-904(3), MCA).

It is the unanimous decision of the Division that the Defendant's sentence is clearly excessive and should be **MODIFIED**. The Division finds that **Count IV: Criminal Possession of Dangerous Drugs** that sentences the Defendant to the Montana State Prison for five (5) years, should run concurrently with Counts I, II, and III. The net effect reduces the sentence from a total of twenty-five (25) years to twenty (20) years to the Montana State Prison. The remaining terms and conditions of the sentence imposed are not clearly inadequate or clearly excessive and are affirmed.

Done in open Court this 2nd day of May, 2019.

DATED this 30th day of May, 2019.

SENTENCE REVIEW DIVISION



Hon. Brenda Gilbert, Chairperson



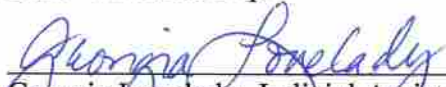
Hon. Dan Wilson, Member



Hon. Luke Berger, Member

Copies mailed this 4th day
of June, 2019, to:

Clerk of District Court (Original)
Craig Alan Barrows #3005581, Defendant (2)
Hon. James Wheelis
Brent Getty, Defense Counsel
Jeffrey Zwang, Esq.
Board of Pardons and Parole
MSP - Records Dept.



Georgia Lovelady, Judicial Assistant
Sentence Review Division